IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

ITO, et al.

Examiner:

Unknown

2613

Serial No.:

09/786,611

Group Art Unit:

2613

Filed:

09//80,011

Docket:

10873.641USWO

Confirmation

March 6, 2001 Unknown

Notice of Allow.

n/a

No.:

Date:

Due Date:

November 12, 2004

Title:

AV DATA RECORDING APPARATUS AND METHOD, DISK RECORDED WITH THE AV

DATA RECORDING APPARATUS OR METHOD, AND AV DATA REPRODUCING

APPARATUS AND METHOD

**CERTIFICATE UNDER 37 CFR 1.8:** 

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450,

Alexandria, VA 22313-1450 on November 8, 2004.

Iame: Peggy Kerkhove

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

23552
PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

Transmittal Sheet in duplicate containing Certificate of Mailing

Supplemental Information Disclosure Statement, Form 1449, 4 Reference(s), Copy of European Search Report

Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C. P.O. Box 2903, Minneapolis, MN 55402-0903 612.332.5300 By: V Name: Douglas P. Mueller

Reg. No.: \$0,300

DPM/pik

N 09/786,611

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Name: Peggy Kerkhove

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313, 145

Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in an European Search Report mailed October 12, 2004.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449. Also, in accordance with 37 C.F.R. §1.97(c) or §1.97(d), the undersigned hereby certifies that <u>each item</u> of information listed on the enclosed Form 1449 <u>was first cited</u> in a communication from a foreign patent office in a counterpart foreign application <u>within three months</u> of filing this statement.

Certification Under 37 C.F.R. § 1.704(d)

In accordance with 37 C.F.R. § 1.704(d), the undersigned hereby certifies that each item

listed on the enclosed Form 1449 was cited in a communication from a foreign patent office in a

counterpart application, and that this communication was not received by any individual

designated in 37 C.F.R. § 1.56(c) more than thirty (30) days prior to the filing of this Information

Disclosure Statement. Accordingly, no patent term adjustment is due for the filing of this

Information Disclosure Statement.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information

listed on the enclosed Form 1449 is provided. Enclosed for the Examiner's information is a copy

of the European Search Report.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C.

§§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to

establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is

intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of

M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked

as being considered and initialed by the Examiner, to the undersigned with the next official

communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-

2725.

Respectfully submitted,

MERCHANT & GOULD P.C.

P.O. Box 2903

Minneapolis, MN 55402-0903

(612)332.5300

Bv:

Douglas P. Mueller

Reg. No. 30,300

DPM/pjk

Dated: November 8, 2004

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PATENT TRADEMARK OFFICE

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FO	OR TOP INFOR	MATION DISCLOSURE STATEMENT	Docket Number: Application Number: 10873.641USWO 09/786,611				
6	NOV 1 2 2004	IN AN APPLICATION	Applicant: ITO, et al.	Applicant: ITO, et al.			
B	, 2 2004 iij	(Use several sheets if necessary)	Filing Date: March 6, 2001	Group Art Unit: 2613			
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U.S. PATENT DOCUMENTS									
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS		DATE OPRIATE		
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		FOREIG	The Property of Court of		l				
	FOREIGN PATENT DOCUMENTS								
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS		LATION		
	0 737 975	October, 1996	EPO			YES	NO		
	0 903 742	March, 1999	EPO						
	0 905 699	March, 1999	EPO						
<u>-</u>									
	OTHER	DOCUMENTS (In	ncluding Author, Title, D	ate, Pertinent P	ages, Etc.)		<u> </u>		
	Weiss, et al., "Switching Facilities in MPEG-2: Necessary But Not Sufficient", SMPTE Journal, SMPTE Inc., Scarsdale, N.Y., vol. 104, no. 12, December, 1995, pages 788-802								

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EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

Sheet 1 of 1